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**U.S. CHARGES NEW YORK CITY POLICE DEPARTMENT
TRAFFIC ENFORCEMENT AGENT WITH MAKING
FALSE STATEMENTS IN APPLICATION FOR U.S. CITIZENSHIP**

DAVID N. KELLEY, the United States Attorney for the Southern District of New York, and MARTIN FICKE, the Special Agent in Charge of the New York Office of the Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), announced today the arrest of MOSTOFA KAMAL, a/k/a "Shaheen Sardar." KAMAL, a native of Bangladesh, is charged with making false statements under oath in his application to become a United States citizen. In particular, KAMAL is charged with falsely denying under oath, in his application for naturalization, that he had previously been ordered deported from the United States under a different name.

According to a Complaint unsealed today in Manhattan federal court, in 1994, MOSTOFA KAMAL applied for political asylum using the name "Shaheen Sardar." The Immigration and Naturalization Service ("INS") asylum officer assigned to

"Sardar's" case rejected his asylum request, ruling that the claim for asylum was not "credible," the Complaint alleges.

"Sardar's" request for political asylum then was referred to an Immigration Judge, who held a hearing on the request in May 1996. At the conclusion of that hearing, the Immigration judge issued a written order denying KAMAL's request for asylum, and ordered that KAMAL (who still claimed to be "Shaheen Sardar") depart the United States voluntarily on or before May 17, 1997, with an alternative order that he be deported to Bangladesh.

According to the Complaint, "Sardar" failed to depart the United States as ordered. Instead, in or about April 1997, the defendant, now using the name MOSTOFA KAMAL, applied to become a legal resident alien due to his marriage to a resident alien in or about March 1997. The INS denied that request on the ground that KAMAL was likely to become of public charge because of his low financial means, the Complaint alleges.

According to the Complaint, a fingerprint comparison of the fingerprints of "Shaheen Sardar" submitted in connection with "Sardar's" request for political asylum and the fingerprints submitted by KAMAL in connection with his application to become a legal resident showed that the fingerprints were made by one and the same person. In addition, the photograph that "Sardar" submitted in 1994 in connection with his application for political asylum matches the photograph that KAMAL submitted in 1997 in connection with his application to become a legal

resident, the Complaint alleges.

According to the Complaint, on or about August 22, 2003, Citizenship and Immigration Services ("CIS") received an "Application for Naturalization" form for MOSTOFA KAMAL. An examiner with CIS subsequently interviewed KAMAL under oath in November 2004. The Complaint alleges that KAMAL falsely represented both in the application and during interview that he had not previously been ordered "removed, excluded, or deported from the United States." In addition, the Complaint alleges that KAMAL falsely denied in the application and during the interview that he previously had used another name, or that he ever had given false or misleading information to U.S. government officials while applying for any immigration benefit.

MOSTOFA KAMAL was arrested this morning after concluding his shift working as a New York City Police Department Traffic Enforcement Agent.

MOSTOFA KAMAL, 37, is a citizen of Bangladesh, who resides in Queens, New York.

KAMAL is scheduled to be presented later today before United States Magistrate Judge JAMES C. FRANCIS, IV.

Mr. KELLEY praised the efforts of ICE; the United States Marshals Service, Regional Fugitive Task Force; the Social Security Administration, Office of Inspector General; and the New York City Police Department, Internal Affairs Bureau, and said that the investigation is continuing.

If convicted, KAMAL faces a maximum sentence of five years in prison and a \$250,000 fine.

Assistant United States Attorney MARCUS A. ASNER is in charge of the prosecution.

The charges contained in the Complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

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